

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JUWAN DEERING,

Petitioner,

Case Number: 2:11-cv-10320

v.

HONORABLE GERALD E. ROSEN

MITCH PERRY,

Respondent.

ORDER DENYING PETITIONER'S MOTION FOR RECONSIDERATION

Michigan state prisoner, Juwan Deering, filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. He challenged his convictions for five counts of first-degree murder and one count of burning a dwelling house. On April 12, 2013, the Court issued an “Opinion and Order Denying Petition for Writ of Habeas Corpus and Denying Certificate of Appealability.” Now before the Court is Petitioner’s Motion for Reconsideration.

Motions for reconsideration may be granted when the moving party shows (1) a “palpable defect,” (2) by which the court and the parties were misled, and (3) the correction of which will result in a different disposition of the case. E.D. Mich. L.R. 7.1(h)(3). A “palpable defect” is a “defect which is obvious, clear, unmistakable, manifest or plain.” *Olson v. The Home Depot*, 321 F. Supp. 2d 872, 874 (E.D. Mich. 2004).

Petitioner's motion expresses disagreement with the Court's decision, but fails to offer any grounds for a finding that the Court's decision was the result of a palpable defect. A motion that simply reasserts arguments already denied by the Court fails to allege sufficient grounds upon which to grant reconsideration. L.R. 7.1(h)(3); *see also*, *Meekison v. Ohio Dept. of Rehabilitation and Correction*, 181 F.R.D. 571, 572 (S.D. Ohio 1998). The Court concludes that Petitioner has not met his burden of showing a palpable defect by which the Court has been misled or his burden of showing that a different disposition would result from the correction thereof.

Accordingly, the Court DENIES Petitioner's Motion for Reconsideration [dkt. # 23].

SO ORDERED.

s/Gerald E. Rosen
Chief Judge, United States District Court

Dated: June 10, 2013

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on June 10, 2013, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5135